

REMARKS

Restriction has been required between three groups of claims. Applicant elects the claims of Group I, claims 1-7, with traverse. The requirement for restriction is not understood and is believed to be improper for the following reasons.

Referring to the first paragraph on page 3 of the Office Action, the Examiner asserts that Groups I and II are related as combination and subcombination. This is not understood. First, the Examiner has not explicitly stated which Group is the combination and which Group is the subcombination. Applicant assumes that Group I is considered to be the combination and Group II is considered to be the subcombination. Second, and more importantly, Group I is directed to an apparatus, namely, an interface circuit, while Group II (and Group III) is directed to a method or process. Therefore, neither Group can be considered to be a subcombination of the other.

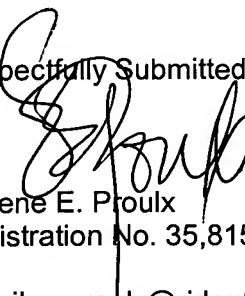
Applicant respectfully submits that the proper question to be determined for restriction is to whether the process claims (Groups II and III) and the apparatus claims (Group I) can be shown to be distinct inventions. This situation is discussed in MPEP § 806.05(e). In this situation, the process and apparatus claims are deemed distinct "if either or both of the following can be shown: (A) that the process as *claimed* can be practiced by another materially different apparatus or by hand; or (B) that the apparatus as *claimed* can be used to practice another materially different process." (Emphasis added). The Examiner has not shown that the two tests are satisfied.

The Examiner states that "Invention Group II only requires applying a signal to place the tristate pin drivers in a high impedance state, and then de-asserting the signal to return to the driving state. This can be achieved with a conventional tristate buffer. The particulars of invention Group I therefore is not required." The methods of Groups II and III comprise more than "only" the step by mentioned by the Examiner. The Examiner has not in fact shown that all of the steps of the methods of Groups II and III can be achieved by "a conventional tristate buffer".

With regard to Groups II and III, it is clear that these Groups are not independent. Accordingly, they are related inventions. Applicant believes and respectfully submits that they are not distinct and subject to restriction. As set forth in MPEP § 802.01, "Related inventions are distinct if the inventions *as claimed* are not connected in at least one of design, operation, or effect (e.g., can be made by, or used in, a materially different process) and wherein at least one invention is PATENTABLE (novel and nonobvious) OVER THE OTHER (though they may each be unpatentable over the prior art)." Applicant submits that Groups II and III are connected in at least one of design, operation, or effect" and therefore are not distinct and subject to restriction. While the preamble of the claims refer to different faults, the specific method steps in the body of the claims are similar and both groups employ the apparatus of Group I to perform their respective process.

The Examiner is respectfully requested to reconsider and withdraw the requirement for restriction. Early favorable reconsideration is respectfully requested.

Respectfully Submitted,


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